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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,476	03/26/2004	Hiromi Hoshino	SON-2972	8328
23353 7590 10/28/2008 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			EXAMINER SELBY, GEVILL V	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 10/28/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/809,476

**Applicant(s)**

HOSHINO ET AL.

**Examiner**

GEVELL SELBY

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-12, 14, 17-25 and 27-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-12, 14, 17-25 and 27-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/5/08 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 10-12, 14, 17-25, and 27-29 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**4. Claims 10-12, 14, 17, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Anderson, US 6,532,039.**

In regard to claim 10, Anderson, US 6,532,039, discloses a video-signal recording/reproduction apparatus comprising:

a recording/reproduction unit(see figure 3, element 352) for recording and reproducing a video signal generated by an imaging apparatus (see figure 1, element 110) as a video signal with every frame thereof including additional meta data (stamp) related to said video signal onto and from a recording medium (see figure 3, element 354) (see column 4, lines 31-38, column 9, lines 23-27, and column 10, lines 2-9: the buffers/connectors 352 or recording reproduction unit records and reproduces the video data with the stamp or meta data, as for example a logo, to/from the recording medium 354); and

a meta-data synthesis apparatus (see figure 3, element 390) for extracting at least a part of said meta data from said video signal including said meta data added to every frame and synthesizing said extracted part with said video signal wherein said imaging apparatus receives, from said recording/reproduction unit, said video signal including said meta data and displays said meta-data, from said video signal, at the imaging apparatus (see column 4, lines 20-22 and column 7, lines 25-42: the LCD controller 390 or meta-data synthesis apparatus extracts the stamp or metadata along with image data from the DRAM 346 that has been processed by the CPU

344 and transfers the video image with the stamp or metadata attached to the display 402).

In regard to claim 11, Anderson, US 6,532,039, discloses the video-signal recording/reproduction apparatus according to claim 10, wherein said meta data added to said video signal is packed into one or more meta-data groups provided for different purposes of utilizing said meta data (see column 7, lines 47-50: the stamps or meta data are grouped into types time-date stamp, a string stamp, and a graphics stamp).

In regard to claim 12, Anderson, US 6,532,039, discloses the video-signal recording/reproduction apparatus according to claim 10, wherein said meta-data synthesis apparatus extracts at least a part of said meta data from said video signal reproduced by said recording/reproduction unit from said recording medium and synthesizes said extracted part with said reproduced video signal (see column 4, lines 20-22 and column 7, lines 25-42: the LCD controller 390 of meta-data synthesis apparatus extracts metadata along with image data from the DRAM 346 that has been processed by the CPU 344 and transfers the video image with the stamp or metadata attached to the display 402).

In regard to claim 14, Anderson, US 6,532,039, discloses a meta-data display method for displaying meta data related to a video signal generated by an image capture apparatus (see column 9, lines 23-28: stamps or meta data such a logo are added to video signals and displayed with each frame), said meta-data display method comprising the steps of:

extracting at least a part of said meta data added to said video signal of every frame from said video signal and synthesizing said extracted part with said video signal (see column 4, lines 20-22 and column 7, lines 25-42: the LCD controller 390 or meta-data synthesis apparatus extracts the stamp or metadata along with image data from the DRAM 346 that has been processed by the CPU 344); and displaying said synthesized meta data, from said video signal including said synthesized meta data on a display apparatus provided in said image capture apparatus (see column 4, lines 20-22 and column 7, lines 25-42: the LCD controller 390 or meta-data synthesis apparatus transfers the video image with the stamp or metadata attached to the display 402);

wherein said meta data added to said video signal includes scene-information meta data, which is meta data related to a scene shot by said image capture imaging apparatus (see column 7, lines 43-50: the time-date stamp or meta data provides scene information for when the scene was captured).

In regard to claim 17, Anderson, US 6,532,039, discloses the meta-data display method according to claim 14, wherein said meta data added to said video signal is packed into one or more meta-data groups provided for different purposes of utilizing said meta data (see column 7, lines 47-50: the stamps or meta data are grouped into types time-date stamp, a string stamp, and a graphics stamp).

In regard to claim 18, Anderson, US 6,532,039, discloses the meta-data display method according to claim 14, said meta-data display method further having the steps of:

reproducing said video signal including said meta data added thereto from a recording medium (see column 4, lines 31-38, column 9, lines 23-27, and column 10, lines 2-9: the buffers/connectors 352 reproduces the video data with the stamp or meta data, as for example a logo, from the recording medium 354);

extracting at least a part of said meta data from said video signal reproduced from said recording medium; and synthesizing said extracted part with said reproduced video signal (see column 4, lines 20-22 and column 7, lines 25-42: the LCD controller 390 or meta-data synthesis apparatus extracts the stamp or metadata along with image data from the DRAM 346 that has been processed by the CPU 344 and transfers the video image with the stamp or metadata attached to the display 402).

**5. Claims 19, 20, 23, 25, 27, and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Okazaki, US 2004/0174451.**

In regard to claim 19, Okazaki, US 2004/0174451, discloses a meta-data display system for displaying meta-data related to a video signal, comprising:

an imaging apparatus (see figure 1, element 10) that captures video content and generates the video signal and meta-data (character data) associated with each frame of the video signal, and having a display (see figure 1, element 46) adapted to display the meta-data of the captured video content synchronously with the real-time video captured by the

imaging apparatus (see para 23-32: the image sensor 16 of the imaging apparatus captures image data, video data and character data or metadata is then generated and combined to display on the LCD 46);

a meta-data addition apparatus (see figure 1, element 42) that receives the meta-data and the video signal and combines the meta-data associated with each frame of the video signal and the video signal, and outputs a combined video signal (see para 32: the character combining circuit 42 or meta-data addition apparatus combines the character data with the image data);

a storage device (see figure 1, element 52) for storing the combined video signal (it is inherent the recording medium of the reference can be used for storing the combined video signal, since the structure of the storage device is disclosed);

a meta-data synthesis apparatus (see figure 1, element 44) that synthesizes the combined video signal to produce a synthesized video signal, the synthesized video signal including the video signal where each frame is visually combined with at least a portion of the meta-data associated with that frame (see para 32: the encoder 44 or the meta-data synthesis apparatus synthesizes the combined video signal and transfers it to the LCD 46 for display);

a display (see figure 1, element 46) for displaying the synthesized video signal (see para 32);



wherein the imaging apparatus receives the combined video signal from the meta-data addition apparatus, and the display on the imaging apparatus displays the meta-data from the combined video signal (see figure 2B).

In regard to claim 20, Okazaki, US 2004/0174451, discloses the meta-data display system of claim 19, wherein the display apparatus is a component of the imaging apparatus (see figure 1).

In regard to claim 23, Okazaki, US 2004/0174451, discloses the meta-data display system of claim 19, wherein the meta data added to the video signal is packed into one or more meta-data groups provided for different purposes of utilizing the meta-data (see para 30: the character data or meta data is in the group of exposure information).

In regard to claim 25, Okazaki, US 2004/0174451, discloses a meta-data display system, comprising:

a meta-data synthesis apparatus (see figure 1, elements 42 and 44 in combination) for extracting at least a part of the meta-data associated with every frame of a video signal and synthesizing the extracted meta-data with the video signal to produce a synthesized video signal (see para 32: the combining unit 42 part of the meta-data synthesis apparatus extracts and meta data and its associated video data from the buffer and transfers it to the encoder 44 part of the meta-data synthesis apparatus that synthesizes the combined video signal and transfers it to the LCD 46 for display with every video frame); and

an imaging image capture apparatus (see figure 1, element 10) for generating the video signal and the meta-data for every frame of the video signal; wherein in the synthesized video, each video frame is visually combined with meta-data associated with that video frame, and the synthesized video signal is transmitted to the imaging apparatus (see para 23-32: the image sensor 16 of the imaging apparatus captures image data, video data and character data or metadata that is then generated and combined to display on the LCD 46); and

the image capture apparatus includes a display (see figure 1, element 46) adapted to display the meta-data of the captured video content synchronously with the real-time video captured by the image capture apparatus (see figure 2B).

In regard to claim 27, Okazaki, US 2004/0174451, discloses the meta-data display system of claim 25, wherein the meta-data added to the video signal includes scene-information meta-data, which is meta-data related to a scene shot by the imaging apparatus (see para 30: the character data or meta data is scene information of the exposure of the scene imaged).

In regard to claim 29, Okazaki, US 2004/0174451, discloses the meta-data display system of claim 25, wherein the meta-data added to the video signal is packed into one or more meta-data groups for different purposes of utilizing the meta data (see para 30: the character data or meta data is in the group of exposure information).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 21, 22, 24, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okazaki, US 2004/0174451, in view of Currans, US 2005/0104976.**

In regard to claim 21, Okazaki, US 2004/0174451, discloses the meta-data display system of claim 19, wherein imaging apparatus includes a lens system (see figure 1, element 12). The Okazaki reference does not specifically disclose the lens system that produce lens setting meta-data; a positioning system that produces position meta-data, said position meta-data includes the position and orientation of the lens system relative to a scene; an input terminal for inputting scene-information meta-data; and wherein, the meta-data addition apparatus adds the lens setting meta-data, the position meta-data, and the scene-information meta-data to the video signal, to produce the combined video signal.

Currans, US 2005/0104976, discloses a meta data display system with a camera with lens system (see figure 2, element 203) that produces lens setting meta-data; a positioning system (see figure 2, elements 204, 206, and 207) that produces position meta-data, said position meta-data includes the position and orientation of the lens system relative to a scene (see para 24-25 and figure 8); an input terminal (see figure 1, element 104) for inputting scene-information meta-data; and wherein, the meta-data addition apparatus adds the lens setting meta-

data, the position meta-data, and the scene-information meta-data to the video signal, to produce the combined video signal (see para 28-30: the camera of the system captures image data along with information from sensors and adds the information to the image data; additional metadata can be added to the image data and the video and metadata is display together on the computer display).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Okazaki, US 2004/0174451, in view of Currans, US 2005/0104976, to have the lens system that produce lens setting meta-data; a positioning system that produces position meta-data, said position meta-data includes the position and orientation of the lens system relative to a scene; an input terminal for inputting scene-information meta-data; and wherein, the meta-data addition apparatus adds the lens setting meta-data, the position meta-data, and the scene-information meta-data to the video signal, to produce the combined video signal, in order to easily and quickly provide the user with additional information about captured scene.

In regard to claim 22, Okazaki, US 2004/0174451, in view of Currans, US 2005/0104976, discloses the meta-data display system of claim 21. The Currans reference discloses wherein the meta-data received by the meta-data addition apparatus is organized into one or more meta-data groups provided for each of the lens setting meta-data, the position meta-data, and the scene-information meta-data (see para 29-30).

In regard to claim 24, Okazaki, US 2004/0174451, in view of Currans, US 2005/0104976, discloses the meta-data display system of claim 19. The Okazaki

reference discloses the meta-data display system include a video-signal recording/reproduction apparatus (see figure 1, element 50) for recording and reproducing the image data onto and from a recording medium (see para 36; the I/F 50 or recording/reproduction apparatus reads and writes the image data to the recording medium 52). The Okazaki reference does not disclose that the video-signal recording/reproduction apparatus for recording and reproducing the combined video signal onto and from a recording medium, wherein at least a part of the meta-data is extracted from the video signal reproduced by the video-signal recording/reproduction apparatus and synthesized with the video signal.

The Currans reference discloses a CPU 201 that reads and writes video data combined with metadata to and from the recording media 208 and the combined video is displayed together (see para 36 and 45).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Okazaki, US 2004/0174451, in view of Currans, US 2005/0104976, the video-signal recording/reproduction apparatus for recording and reproducing the combined video signal onto and from a recording medium, wherein at least a part of the meta-data is extracted from the video signal reproduced by the video-signal recording/reproduction apparatus and synthesized with the video signal, in order to save video data with meta data and display the combined signal at a later time or another location, so that the user may have the benefit of viewing the video over and over.

In regard to claim 28, Okazaki, US 2004/0174451, discloses the meta-data display system of claim 27, wherein imaging apparatus includes a lens system

(see figure 1, element 12). The Okazaki reference does not specifically disclose the lens system that produce lens setting meta-data; a positioning system that produces position meta-data, said position meta-data includes the position and orientation of the lens system relative to a scene; an input terminal for inputting scene-information meta-data; and wherein, the meta-data addition apparatus adds the lens setting meta-data, the position meta-data, and the scene-information meta-data to the video signal, to produce the combined video signal.

Currans, US 2005/0104976, discloses a meta data display system with a camera with lens system (see figure 2, element 203) that produces lens setting meta-data; a positioning system (see figure 2, elements 204, 206, and 207) that produces position meta-data, said position meta-data includes the position and orientation of the lens system relative to a scene (see para 24-25 and figure 8); an input terminal (see figure 1, element 104) for inputting scene-information meta-data; and wherein, the meta-data addition apparatus adds the lens setting meta-data, the position meta-data, and the scene-information meta-data to the video signal, to produce the combined video signal (see para 28-30: the camera of the system captures image data along with information from sensors and adds the information to the image data; additional metadata can be added to the image data and the video and metadata is display together on the computer display).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Okazaki, US 2004/0174451, in view of Currans, US 2005/0104976, to have the lens system that produce lens setting meta-data; a positioning system that produces position meta-data, said position

meta-data includes the position and orientation of the lens system relative to a scene; an input terminal for inputting scene-information meta-data; and wherein, the meta-data addition apparatus adds the lens setting meta-data, the position meta-data, and the scene-information meta-data to the video signal, to produce the combined video signal, in order to easily and quickly provide the user with additional information about captured scene.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GEVELL SELBY whose telephone number is (571)272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on 571-272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gvs

/Gevell Selby/  
Patent Examiner, Art Unit 2622